

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

**ANGEL MOLINA,**  
**Plaintiff,**

**v.**

**LIEUTENANT GORDON, *et al.*,**  
**Defendants.**

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**No. 2:25-cv-0077**

**ORDER**

**AND NOW**, this 18<sup>th</sup> day of February, 2025, upon consideration of Plaintiff Angel Molina's *pro se* Complaint (ECF No. 1) and for the reasons stated in the Court's Memorandum issued this date, it is **ORDERED** that:

1. Molina's claims alleging deliberate indifference to a medical need against Defendants Nurse Does #1 through #5, Officer Jane Doe, John Does #1 through #5 are **DISMISSED WITHOUT PREJUDICE** for failure to state a claim pursuant to 28 U.S.C. § 1915A(b)(1). Molina's claim alleging failure to protect against Counselor Murphy is also **DISMISSED WITHOUT PREJUDICE** for failure to state a claim pursuant to 28 U.S.C. § 1915A(b)(1).

2. Molina's claim against Nurse Doe for deliberate indifference related to an allegedly dirty cup of water is **DISMISSED WITH PREJUDICE**.

3. The Clerk of Court is **DIRECTED** to send Molina a blank copy of the Court's form complaint for a prisoner filing a civil rights action bearing the above civil action number.

4. Molina is given **thirty (30) days to file an amended complaint** as to the claims dismissed without prejudice in the event he can allege additional facts to state a plausible claim against Defendants Nurse Does #1 through #5, Officer Jane Doe, John Does #1 through #5, and

Counselor Murphy. Any amended complaint shall identify all defendants in the caption of the amended complaint in addition to identifying them in the body of the amended complaint. The amended complaint must also provide as much identifying information for the defendants as possible. Molina may refer to a defendant by last name only if that is the only identifying information possessed. If Molina wishes to name individuals for whom he does not have any identifying information, he may refer to those individuals as John Doe #1, John Doe #2, etc. The amended complaint shall state the basis for Molina's claims against each defendant, and shall bear the title "Amended Complaint" and the case number, No. 25-0077. If Molina files an amended complaint, it must be a complete document that includes all of the bases for Molina's claims, including claims that the Court has not yet dismissed if he seeks to proceed on those claims. Claims that are not included in the amended complaint will not be considered part of this case. When drafting his amended complaint, Molina should be mindful of the Court's reasons for dismissing his claims as explained in the Court's Memorandum. Upon the filing of an amended complaint, the Clerk shall not make service until so **ORDERED** by the Court.

5. If Molina does not file an amended complaint the Court will direct service of his initial Complaint on Defendant Lieutenant Gordon only, and all other claims will be dismissed with prejudice. Molina may also notify the Court that he seeks to proceed on this claim rather than file an amended complaint. If he files such a notice, Molina should include the case number for this case, No. 25-0077.

6. The time to serve process under Federal Rule of Civil Procedure 4(m) is **EXTENDED** to the date 90 days after the Court issues summonses in this case.

**BY THE COURT:**

*/s/ Joseph F. Leeson, Jr.*

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**JOSEPH F. LEESON, JR.**

**United States District Judge**